

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5243 of 1998

SHANTILAL AMBALAL PATEL

Versus

STATE OF GUJARAT

Appearance:

MR PAHWA FOR THAKKAR ASSOCIATES for Petitioner
MR MUKESH PATEL, AGP for Respondent No. 1, 2

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 09/08/1999

ORAL JUDGEMENT

1. This petition arises from orders passed under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976.

2. It is common ground on both sides that the State of Gujarat adopted the Urban Land (Ceiling & Regulation) Repeal Act, 1999 on 30th March 1999.

3. It is also common ground on both sides that by virtue of section 4 of the Repeal Act, all proceedings pending on the said date shall abate.

4. It is so found and accordingly held, and the present petition is disposed of accordingly.

5. Learned AGP states on instructions that the State of Gujarat will abide by the Circular issued by the State Government in the Revenue Department No.ULC/1099-602/V1 dated 15th April 1999.

6. It merely requires to be noted from the record of the present petition that the petitioners have asserted that they are in possession of the property in question. This is not controverted by the respondent in any

affidavit-in-reply. It may further be observed that this is mere observation on the basis of the present record and is not to be regarded as a finding of fact on any factual controversy in issue between the parties.

7. Notice is accordingly discharged with no order as to costs. Interim relief if any stands vacated.

09.08.1999 (Y.B. BHATT J.)